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TREATIES AND OTHER INTERNATIONAL ACTS SERIES 9168

# TRADE

## Meat Imports

Agreement Between the
UNITED STATES OF AMERICA
and OTHER GOVERNMENTS

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## NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89–497, approved July 8, 1966 (80 Stat. 271; 1 U.S.C. 113)—

". . . the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof."

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# MULTILATERAL

## Trade: Meat Imports

*Agreement effected by exchange of notes between the United States of America and*
*Nicaragua at Washington December 21 and 26, 1977;*
*Entered into force December 26, 1977;*
*Dominican Republic at Washington December 21 and 28, 1977;*
*Entered into force December 28, 1977;*
*Guatemala at Washington December 21 and 28, 1977;*
*Entered into force December 28, 1977;*
*Costa Rica at Washington December 21 and 30, 1977;*
*Entered into force December 30, 1977;*
*Haiti at Washington December 21 and 30, 1977;*
*Entered into force December 30, 1977;*
*Honduras at Washington December 21 and 30, 1977;*
*Entered into force December 30, 1977;*
*United Kingdom of Great Britain and Northern Ireland at Washington December 21, 1977 and January 9, 1978;*
*Entered into force January 9, 1978;*
*Panama at Washington December 21, 1977 and January 17, 1978;*
*Entered into force January 17, 1978;*
*New Zealand at Washington December 21, 1977 and January 18, 1978;*
*Entered into force January 18, 1978;*
*El Salvador at Washington December 21, 1977 and January 19, 1978;*
*Entered into force January 19, 1978;*
*Mexico at Washington December 21, 1977 and February 22, 1978;*
*Entered into force February 22, 1978;*
*Australia at Washington December 21, 1977 and March 1, 1978;*
*Entered into force March 1, 1978;*
*Agreement effective January 1, 1978.*

*The Secretary of State to the Nicaraguan Ambassador*

DECEMBER 21, 1977

EXCELLENCY:

I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds and the Government of Nicaragua and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of Nicaragua shall limit the quantity of such meats exported from Nicaragua as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 51.6 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 51.6 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Nicaragua which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such

meats from Nicaragua, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended,[1] and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for Nicaraqua, such increases or estimated shortfall as may be available shall be allocated to Nicaragua in the proportion that 51.6 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of Nicaragua and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from Nicaragua permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Nicaragua shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of Nicaragua.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of Nicaragua as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

[1] 81 Stat. 584; 21 U.S.C. § 601 note.

(b) As soon as possible after the end of each month, the Government of Nicaragua shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in Nicaragua.

I have the honor to propose that, if the foregoing is acceptable to the Government of Nicaragua, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ

His Excellency
Dr. GUILLERMO SEVILLA-SACASA,
*Ambassador of Nicaragua.*

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*The Nicaraguan Ambassador to the Secretary of State*

EMBAJADA DE NICARAGUA
WASHINGTON, D.C.

SD-CH-30

DECEMBER 26, 1977.

EXCELLENCY:

I have the honor to acknowledge receipt of Your Excellency's note of December 21, in which you transmit the text of the agreement which the Government of the United States would sign with Nicaragua with reference to the importation of meats into this country.

In this connection, I wish to inform Your Excellency that Nicaragua accepts the terms of this agreement for the purposes mentioned.

Accept, Excellency, the renewed assurances of my highest consideration.

GUILLERMO SEVILLA SACASA

Guillermo Sevilla Sacasa
*Ambassador of Nicaragua*

His Excellency
CYRUS R. VANCE
*The Secretary of State*
*Washington, D.C.*

*The Secretary of State to the Dominican Ambassador*

DECEMBER 21, 1977

EXCELLENCY:

I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of the Dominican Republic and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of the Dominican Republic shall limit the quantity of such meats exported from the Dominican Republic as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 15.2 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 15.2 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from the Dominican Republic which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern

spacing within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from the Dominican Republic, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawal from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for the Dominican Republic, such increases or estimated shortfall as may be available shall be allocated to the Dominican Republic in the proportion that 15.2 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of the Dominican Republic and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from the Dominican Republic permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for the Dominican Republic shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of the Dominican Republic.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of the Dominican Republic as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of the Dominican Republic shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in the Dominican Republic.

I have the honor to propose that, if the foregoing is acceptable to the Government of the Dominican Republic, this note and your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ

His Excellency
Dr. HORACIO VICIOSO-SOTO,
*Ambassador of the Dominican Republic.*

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*The Dominican Ambassador to the Secretary of State*

EMBAJADA DE LA REPUBLICA DOMINICANA

WASHINGTON

665 DECEMBER 28, 1977

EXCELLENCY:

I have the honor to refer to the Note of Your Excellency dated December 21, 1977, regarding the discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below during the calendar year 1978.

The text of the agreement proposed is as follows:

"1. For purposes of this agreement, the term 'such meats' shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other

countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of the Dominican Republic and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of the Dominican Republic shall limit the quantity of such meats exported from Dominican Republic as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 15.2 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 15.2 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from the Dominican Republic which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from the Dominican Republic, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for the Dominican Republic, such increases

or estimated shortfall as may be available shall be allocated to the Dominican Republic in the proportion that 15.2 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of the Dominican Republic and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from the Dominican Republic permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for the Dominican Republic shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by agreement of the Government of the Dominican Republic.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of the Dominican Republic as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of the Dominican Republic shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in the Dominican Republic".

I have the honor to state that the Dominican Government accepts the aforementioned agreement and I hereby confirm that the Note of Your Excellency and this confirmatory Note of reply from us constitute an agreement between our two governments which shall enter into force on this very date and applicable to calendar year 1978.

I take this opportunity to renew to Your Excellency the assurances of my highest consideration.

HORACIO VICIOSO

His Excellency
CYRUS R. VANCE
*Secretary of State of the*
*United States of America*
*Washington, D.C.*

*The Secretary of State to the Guatemalan Ambassador*

DECEMBER 21, 1977

EXCELLENCY:

I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of Guatemala and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of Guatemala shall limit the quanity of such meats exported from Guatemela as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in the United States Customs Territory during the calendar year 1978 does not exceed 36.2 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 36.2 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Guatemala which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing

within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from Guatemala, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for Guatemala, such increases or estimated shortfall as may be available shall be allocated to Guatemala in the proportion that 36.2 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of Guatemala and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from Guatemala permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Guatemala shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of Guatemala.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of Guatemala as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of Guatemala shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in Guatemala.

I have the honor to propose that, if the foregoing is acceptable to the Government of Guatemala, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ

His Excellency
JORGE LAMPORT,
*Ambassador of Guatemala.*

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*The Guatemalan Ambassador to the Secretary of State*

EMBASSY OF GUATEMALA
WASHINGTON, D.C.

No. 1221 Clase A-2

DECEMBER 28, 1977

EXCELLENCY:

I have the honor to refer to your note of December 21st which reads as follows:

"EXCELLENCY:

I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term 'such meats' shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to

entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of Guatemala and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of Guatemala shall limit the quantity of such meats exported from Guatemala as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 36.2 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 36.2 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Guatemala which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from Guatemala, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any esti-

mated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for Guatemala, such increases or estimated shortfall as may be available shall be allocated to Guatemala in the proportion that 36.2 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for reallocation pursuant to this paragraph, the Government of the United States of Amercia may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of Guatemala and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from Guatemala permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Guatemala shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of Guatemala.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of Guatemala as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of Guatemala shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in Guatemala.

I have the honor to propose that, if the foregoing is acceptable to the Government of Guatemala, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ"

I have the honor to confirm that the foregoing is acceptable to the Government of Guatemala which agrees that your note together with

with this reply should form an agreement between our two Governments on this matter.

Accept, Sir, the renewed assurances of my highest consideration.

JORGE LAMPORT RODIL

Jorge Lamport – Rodil
*Ambassador*

The Honorable
CYRUS R. VANCE
*Secretary of State*
*Washington, D.C.*

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*The Secretary of State to the Costa Rican Ambassador*

DECEMBER 21, 1977

EXCELLENCY:

I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of Costa Rica and the Govern-

ment of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of Costa Rica shall limit the quantity of such meats exported from Costa Rica as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 56.5 million pounds or such greater quanity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 56.5 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Costa Rica which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from Costa Rica, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that U.S. Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for Costa Rica, such increases or estimated shortfall as may be available shall be allocated to Costa Rica in the proportion that 56.5 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of Costa Rica and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from Costa Rica permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Costa Rica shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of Costa Rica.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of Costa Rica as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of Costa Rica shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in Costa Rica.

I have the honor to propose that, if the foregoing is acceptable to the Government of Costa Rica, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ

His Excellency
RODOLFO SILVA,
*Ambassador of Costa Rica.*

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*The Costa Rican Ambassador to the Secretary of State*

EMBAJADA DE COSTA RICA
WASHINGTON, D.C. 20008

No. 1928

DECEMBER 30, 1977

EXCELLENCY:

I have the honor to refer to Your Excellency's note of December 21, 1977, which constitutes a proposal of agreement between our two Governments in regard to the Voluntary Restraints Program of Beef for 1978.

I wish to express that the Government of Costa Rica accepts your proposal of 56.5 million pounds for 1978.

It is understood that similar agreements will be concluded with Governments of other countries which export beef to the United States. Also, that Your Excellency's note and this confirmatory reply constitute an agreement between our two Governments to enter into force as of January 1, 1978.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Ambasador:

MIRTHA VIRGINIA DE PEREA

His Excellency
CYRUS R. VANCE
*Secretary of State*
*Department of State*
*Washington, D.C.*

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*The Secretary of State to the Haitian Ambassador*

EXCELLENCY: DECEMBER 21, 1977

I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such

meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of Haiti and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of Haiti shall limit the quantity of such meats exported from Haiti as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 2.0 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 2.0 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Haiti which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from Haiti, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for Haiti, such increases or estimated shortfall as may be available shall be allocated to Haiti in the proportion that 2.0 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account

any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of Haiti and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from Haiti permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Haiti shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of Haiti.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of Haiti as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of Haiti shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in Haiti.

I have the honor to propose that, if the foregoing is acceptable to the Government of Haiti, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ

His Excellency
GEORGES SALOMON,
*Ambassador of Haiti.*

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*The Haitian Ambassador to the Secretary of State*

AMBASSADE D'HAITI
WASHINGTON

AW/43-865

WASHINGTON, *le 30 Décembre 1977*

MONSIEUR LE SECRÉTAIRE D'ETAT,

J'ai l'honneur d'accuser réception à Votre Excellence de la note du 21 Décembre 1977 dont le texte traduit en fariçais se lit comme suit:

EXCELLENCE,

J'ai l'honneur de me référer aux entretiens qui ont eu lieu entre les représentants de nos deux gouvernements et d'autres gouvernements relativement à l'importation aux Etats-Unis, aux fins de consommation, des viandes décrites au paragraphe i ci-dessous pendant l'année civile 1978. Etant entendu que des accords semblables seront également conclus pour l'année civile 1978 avec les gouvernements d'autres pays qui exportent d'importantes quantités de viande aux Etats-Unis, j'ai l'honneur de proposer que l'accord suivant soit conclu entre nos deux gouvernements:

1. Pour les besoins du présent accord, l'expression "telles viandes" signifiera la viande de boeuf fraiche réfrigérée ou congelée (Rubrique 106.10 du Tarif douanier des Etats-Unis), la viande de chèvre et de mouton fraiche réfrigérée ou congelée, à l'exception de la viande d'agneau (Rubrique 106.20 du Tarif douanier des Etats-Unis), et les viandes qui, sauf pour la préparation reçue dans les zones franches, les territoires ou les possessions des Etats-Unis, avant l'entrée aux Etats-Unis où le dédouanement, aux fins de consommation dans les Territoires qui relèvent de la Douane des Etats-Unis, tomberaient sous les descriptions ci-dessus (et Rubrique du Tarif douanier des Etats-Unis), Lors de ladite entrée, ou dudit dédouanement, aux fins de consommation.

2. Cet accord, ainsi que les accord semblables avec d'autres pays qui exportent aux Etats-Unis des quantités importantes de telles viandes, constituera le programme de limitation pour l'année 1978. Conformément aux dispositions du paragraphe 6, la quantité totale des importations permises de telles viandes aux Etats-Unis, aux fins de consommation, pendant l'année civile 1978, en provenance de pays parties au programme de limitation de 1978 sera de 1216.1 millions de livres, et le Gouvernement d'Haiti et le Gouvernement des Etats-Unis d'Amérique assumeront respectivement les responsabilités énoncées ci-dessous, afin de réglementer les exportations vers les Etats-Unis et les importations aux Etats-Unis au titre du programme de limitation de 1978.

3. Le Gouvernement d'Haiti limitera la quantité de telles viandes exportées d'Haiti en tant qu'expéditions directes ou suivant un connaissement à forfait, à destination des Etats-Unis de telle sorte que la quantité de telles viandes entrée ou dédouanée, aux fins de consommation dans les Territoires qui relèvent de la Douane des Etats-Unis pendant l'année civile 1978, ne dépasse pas 2 millions de livres, ou toute quantité supérieure pouvant résulter d'ajustement en vertu du paragraphe 6.

4. Le Gouvernement des Etats-Unis d'Amérique peut émettre des réglements limitant à 2 millions de livres, ou à toute quantité supérieure pouvant résulter d'ajustements en vertu du paragraphe 6, la quantité de telles viandes en provenance d'Haiti, qui, pendant l'année civile 1978, peut entrer aux Etats-Unis aux fins de consom-

mation, ou êntre dédouanée, que lesdites viandes aient été expédiées directement ou indirectement sous réserve que:

a) lesdits règlements ne soient pas employés à déterminer pendant l' année civile 1978 le moment de l'entrée de ces expéditions aux Etats-Unis, ou de leur dédouanement, aux fins de consommation d'une telle vainde en provenance d'Haiti, à moins qu'il n'en soit autrement convenu; et b) lesdits réglements soient promulgués après consultation conformément aux bispositions du paragraphe 6. Il est entendu que les statistiques de la Douane des Etats-Unis concernant les entrées aux Etats-Unis ou les dédouanements, aux fins de consommation, se ont utilisées pour les desoins du présent accord. Lesdites statistiq es ne comprendront pas les viandes dont l'entrée a été refusée du fait qu'elles n'étaient pas conformes aux normes appropriées prescrites en vertu de la Loi fédérale relative à l'Inspection de la viande, telle qu'amendée, et de telles viandes ne seront pas considérées comme faisant partie de la quantité définie au paragraphe 3, qui peut être accure conformément aux dispositions du paragraphe 6.

5. Le Gouvernement des Etats-Unis d'Amérique pourra prendre les mesures appropriées pour veiller à ce que les importations aux Etats-Unis aux fins de consommation en provenance de pays qui ne font pas parties au programme de limitation de 1978, ne compromettent pas le programme de limitation de 1978.

6. Le Gouvernement des Etats-Unis d'Amérique pourra accroitre la quantité totale des importations permises de telles viandes aux Etats-Unis pendant l'année civile 1978 en provenance de pays participant au programme de limitation ou pourra allouer une quantité supplémentaire pour compenser toute insuffisance estimée dans les exportations au titre de la part fixée pour un pays participant au programme de limitation, ou dans les estimations initiales des importations en provenance de pays qui ne font pas parties audit programme de limitation. Si aucun déficit n'est anticipé pour Haiti, tout accroissement ou déficit estimé qui pourrait être constaté sera alloué à Haiti, dans la proportion même que deux millions de livres représentent du total initial des parts de tous les pays participants au programme de limitation pour lesquels aucun déficit n'est anticipé pour l'année civile 1978. Lors de la détermination du montant disponible pour l'allocation d'une quantité supplémentaire conformément aux dispositions du présent paragraphe, le Gouvernement des Etats-Unis d'Amérique pourra prendre en considération tout accroissement dans ses estimations initiales des importations en provenance des pays qui ne font pas parties au programme de limitation.

7. Le Gouvernement d'Haiti et le Gouvernement des Etats-Unis d'Amérique entreront promptement en consultation, sur demande de l'un ou l'autre des gouvernements, au sujet de toutes questions concernant l'application, l'interprétation, ou la mise en

oeuvre du présent accord, et de toute augmentation dans la quantité totale des importations en provenance d'Haiti, permises dans le cadre du programme de limitation, y compris l'allocation de toute quantité supplémentaire pour compenser un déficit.

8. Au cas où des quotas d'importation de telles viances deviendraient nécessaires, la période de base utilisée par le Gouvernement des Etats-Unis d'Amérique pour calculer le quota d'Haiti n'inclura pas la période du 1er Octobre 1968 au 30 Juin 1972, ni les années civiles 1975, 1976, 1977 et 1978, sauf accord du Gouvernement d'Haiti.

9. a) Afin de permettre aux deux Gouvernements de suivre la mise en oeuvre des dispositions du présent Accord, le Gouvernement des Etats-Unis d'Amérique fera parvenir au Gouvernement d'Haiti, dès que possible après la fin de chaque semaine, les renseignements statistiques douaniers concernant les importations de telles viances en provenance de tous les pays fournisseurs.

10. b) Dès que possible, à la fin de chaque mois, le Gouvernement d'Haiti fournira au Gouvernement des Etats-Unis d'Amérique le détail des arrivées de navires prévues jusqu'au 31 Décembre 1978, par navire et par port d'entrée, en se fondant sur les chargements effectués à Haiti.

J'ai l'honneur de proposer que, si ce qui précède reçoit l'agrément du Gouvernement d'Haiti, la présente note ainsi que votre réponse confirmant votre approbation constituent entre nos deux Gouvernements un accord qui entrera en vigueur à compter de la date de votre réponse.

Veuillez agréer, Excellence, les assurances de ma très haute considération.

Pour le Secrétaire d'Etat:

S)

La proposition ci-dessus ayant reçu l'agrément du Gouvernement de la République d'Haiti Votre lettre et cette réponse constituent un Accord par échange de notes entre le Gouvernement des Etats-Unis d'Amérique et le Gouvernement de la République d'Haiti, qui prendra effet à la date de la présente.

Je saisis l'occasion pour renouveler à Votre Excellence, Monsieur le Secrétaire d'Etat, l'assurance de ma très haute considération.

GEORGES SALOMON

Georges Salomon
*Ambassadeur*

Son Excellence
Monsieur CYRUS VANCE
*Secrétaire d'Etat des Etats-Unis d'Amérique*
*Département d'Etat*
*Washington, D.C.*

*Translation*

EMBASSY OF HAITI
WASHINGTON, D.C.

AW/43-865

WASHINGTON, *December 30, 1977*

MR. SECRETARY:

I have the honor to acknowledge receipt of Your Excellency's note of December 21, 1977, which, translated into French, reads as follows:

[For the English language text, see pp. 18–20.]

The Government of the Republic of Haiti accepts the foregoing proposal and therefore considers that your note and this reply constitute an agreement by exchange of notes between the Government of the United States of America and the Government of the Republic of Haiti, which shall enter into force on the date of this note.

I avail myself of this opportunity to renew to Your Excellency the assurances of my very high consideration.

GEORGES SALOMON

Georges Salomon
*Ambassador*

His Excellency
CYRUS VANCE,
*Secretary of State of*
*The United States of America,*
*Department of State,*
*Washington, D.C.*

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*The Secretary of State to the Honduran Ambassador*

DECEMBER 21, 1977

EXCELLENCY:

I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff

Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of Honduras and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of Honduras shall limit the quantity of such meats exported from Honduras as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 37.8 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 37.8 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Honduras which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from Honduras, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for Honduras, such increases or estimated shortfall as may be available shall be allocated to Honduras in the proportion that 37.8 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of Honduras and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from Honduras permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Honduras shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of Honduras.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of Honduras as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of Honduras shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in Honduras.

I have the honor to propose that, if the foregoing is acceptable to the Government of Honduras, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ

His Excellency
Dr. ROBERTO LAZARUS,
*Ambassador of Honduras.*

*The Honduran Ambassador to the Secretary of State*

EMBAJADA DE LA REPUBLICA DE HONDURAS
WASHINGTON, D.C. 20008

No. 81-EHW-DE

DECEMBER 30, 1977

EXCELLENCY:

I have the honor to acknowledge receipt of your letter of December 21, 1977, which refers to the agreement of our governments on the export of meat to the United States in the coming year of 1978.

The Honduran Trade Commission that came to Washington in early December invited by your government to take part in bilateral negotiations for a higher meat quota, than the one assigned to us by your government was not at all satisfied with the limited quota of 37.8 million pounds during 1978.

However, my government feels that at this time, we have to conform with the new agreement received and accordingly accept such agreement.

Accept, Excellency, the renewed assurance of my highest consideration.

[SEAL] ROBERTO LAZARUS
Dr. Roberto Lazarus
*Ambassador*

Excellency
CYRUS R. VANCE
*Secretary of State*
*Department of State*
*Washington D.C.*

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*The Secretary of State to the British Ambassador*

DECEMBER 21, 1977

EXCELLENCY:

I have the honor to refer to discussions which have taken place among representatives of the Governments of the United States of America, the Governments of the United Kingdom of Great Britain and Northern Ireland and of Belize, and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for

calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of Belize and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of Belize shall limit the quantity of such meats exported from Belize as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 0.5 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 0.5 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Belize which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from Belize, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity

described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for Belize, such increases or estimated shortfall as may be available shall be allocated to Belize in the proportion that 0.5 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of Belize and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from Belize permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Belize shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of Belize.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of Belize as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of Belize shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in Belize.

I have the honor to propose that, if the foregoing is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Belize, this note and Your Excellency's confirmatory reply constitute an agreement between the Government of the United States of America and the Government

of the United Kingdom which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ

His Excellency
PETER JAY,
*British Ambassador.*

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*The British Ambassador to the Secretary of State*

BRITISH EMBASSY
WASHINGTON, D.C.

9 JANUARY 1978

SIR,

I have the honour to refer to your letter of 21 December which reads as follows:

"I have the honor to refer to discussions which have taken place among representatives of the Government of the United States of America, the Governments of the United Kingdom of Great Britain and Northern Ireland and of Belize, and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for the calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

"1. For purposes of this agreement, the term 'such meats' shall mean fresh chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

"2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities

of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of Belize and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

"3. The Government of Belize shall limit the quantity of such meats exported from Belize as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 0.5 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

"4. The Government of the United States of America may issue regulations limiting to 0.5 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Belize which, during the calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meat from Belize, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that U.S. Customs statistics of entries, or withdrawal from warehouse, for consumption will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

"5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

"6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries participating in the restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the restraint program. If no shortfall is estimated for Belize, such increases or estimated shortfall as may be available shall be allocated to Belize in the proportion that 0.5 million pounds bears to the total initial shares from all countries party to the restraint program which are

estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

"7. The Government of Belize and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from Belize permissible under the restraint program including allocation of any shortfall.

"8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Belize shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of Belize.

"9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of Belize as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of Belize shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in Belize.

"I have the honor to propose that, if the foregoing is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Belize, this note and Your Excellency's confirmatory reply constitute an agreement between the Government of the United States of America and the Government of the United Kingdom which shall enter into force on the date of your reply."

I have the honour to confirm that the foregoing is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Belize and that your letter and this reply constitute an agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America which shall enter into force on the date of this reply.

Accept, Sir, the renewed assurances of my highest consideration.

PETER JAY

The Honorable CYRUS R VANCE
*Secretary of State*

*The Secretary of State to the Panamanian Ambassador*

DECEMBER 21, 1977

EXCELLENCY:

I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of Panama and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of Panama shall limit the quantity of such meats exported from Panama as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 5.1 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 5.1 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Panama which, during calendar year 1978, may be entered, or withdrawn from warehouse, for comsumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within calendar

year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from Panama, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet approrpiate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for Panama, such increases or estimated shortfall as may be available shall be allocated to Panama in the proportion that 5.1 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of Panama and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from Panama permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Panama shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of Panama.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of Panama as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of Panama shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in Panama.

I have the honor to propose that, if the foregoing is acceptable to the Government of Panama, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ

His Excellency
GABRIEL LEWIS,
*Ambassador of Panama.*

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*The Panamanian Chargé d'Affaires ad interim to the Secretary of State*

EMBAJADA DE PANAMA
WASHINGTON, D.C. 20008

E.P. EUA-23 D

17 DE ENERO DE 1978

SEÑOR SECRETARIO:

Tengo el honor de avisar recibo a Vuestra Excelencia de la nota fechada el 21 de diciembre del presente año, que dice lo siguiente:

"EXCELENCIA:"

"Tengo el honor de referirme a las conversaciones entre representantes de nuestros dos gobiernos y otros gobiernos relacionadas con las importaciones a los Estados Unidos, para consumo, de carnes descritas más adelante en el párrafo 1, durante el año civil de 1978. Con el entendimiento de que acuerdos similares se concertarán también para el año civil de 1978 con Gobiernos de otros países que exportan cantidades considerables de carnes a los Estados Unidos, tengo el honor de proponer el siguiente acuerdo entre nuestros dos Gobiernos:"

"1. Para propósitos de este acuerdo, el término 'tales carnes' significa carne de ganado vacuno fresca, refrigerada o congelada (Rubro 106.10 del Cuadro de Aranceles de los Estados Unidos), carne fresca, refrigerada o congelada, de ganado ovino o caprino, excepto corderos (Rubro 106.20 del Cuadro de Aranceles de los Estados Unidos), y carnes que, salvo por su elaboración en zonas

de libre comercio, territorios o posesiones de los Estados Unidos, con anterioridad a la entrada o salida del almacén, para consumo dentro del Territorio Arancelario de los Estados Unidos, estarán contenidas dentro de la descripción anterior (y las partidas del Cuadro Arancelario de los Estados Unidos) en el momento de su entrada o salida del almacén, para fines de consumo."

"2. Este acuerdo, junto con acuerdos similares concertados con otros países que exportan a los Estados Unidos cantidades considerables de tales carnes, constituirá el programa de restricciones de 1978. Con sujeción a lo contenido en el párrafo 6, la cantidad total de importaciones de tales carnes permitidas a los Estados Unidos para fines de consumo durante el año civil de 1978 procedentes de países que son partes en el programa de restricciones de 1978 será de 1216.1 millones de libras, y el Gobierno de Panamá y el Gobierno de los Estados Unidos de América asumirán respectivamente las responsabilidades fijadas más adelante para la regulación de exportaciones e importaciones a los Estados Unidos en virtud del programa de restricciones de 1978."

"3. El Gobierno de Panamá limitará la cantidad de tales carnes exportadas de Panamá como envíos directos o en conocimiento de porte corrido a los Estados Unidos, de tal forma que la cantidad que ingresa, o se retira del almacén, para fines de consumo en el Territorio Arancelario de los Estados Unidos durante el año civil de 1978 no excederá de 5.1 millones de libras, o de las cantidades mayores que pudieren resultar de reajustes conforme al párrafo 6."

"4. El Gobierno de los Estados Unidos de América podrá emitir reglamentos que limiten a 5.1 millones de libras, o a las cantidades mayores que pudieren resultar de reajustes conforme al párrafo 6, la cantidad de tales carnes de Panamá que, durante el año civil de 1978, puedan entrar o salir de almacén para fines de consumo, sean o no estas carnes enviadas por vía directa o indirecta, siempre que (a) estos reglamentos no se emplearán para gobernar durante el año civil de 1978 las fechas o momentos de entrada o salida de almacén, para el consumo de tales carnes de Panamá, a menos que de otro modo se convenga; y que (b) tales reglamentos se promulguen después de que se hayan celebrado consultas, de conformidad con el párrafo 7. Se entiende que para los fines de este acuerdo se emplearán las estadísticas de las Aduanas de los Estados Unidos para las entradas y salidas de almacén, para el consumo. Tales estadísticas no incluirán las carnes a las que se les ha negado entrada por no satisfacer las normas apropiadas prescritas de conformidad con la Ley Federal de Inspección de Carnes, según enmendada, y tales carnes no se considerarán parte de la cantidad descrita en el párrafo 3, que podrá aumentarse de conformidad con el párrafo 6."

"5. El Gobierno de los Estados Unidos de América podrá tomar medidas apropiadas para asegurar que las importaciones a los Estados Unidos para consumo de países que no son partes en el

programa de restricciones de 1978 no trastornen el programa de restricciones de 1978."

"6. El Gobierno de los Estados Unidos de América podrá aumentar la cantidad total permitida de importaciones de tales carnes a los Estados Unidos durante el año civil de 1978 de países que participen en el programa de restricciones o podrá readjudicar cualquier déficit calculado en una parte de la cantidad del programa de restricciones o en los cálculos iniciales de importaciones de países que no son partes en el programa de restricciones. Si no se ha calculado un déficit para Panamá, tal aumento o déficit calculado que pudiere estar disponible será adjudicado a Panamá en la proporción que 5.1 millones de libras guardan con el total de participaciones iniciales de todos los países que participan en el programa de restricciones y que se calcula no tendrán déficit en el año civil de 1978. A los fines de determinar la cantidad disponible para readjudicación de conformidad con este párrafo, el Gobierno de los Estados Unidos de América podrá tomar en cuenta cualesquiera aumentos de sus cálculos iniciales de importaciones de países que no son partes en el programa de restricciones."

"7. El Gobierno de Panamá y el Gobierno de los Estados Unidos de América celebrarán consultas a la mayor brevedad, a solicitud de uno de los dos gobiernos, en relación con cualquier asunto sobre aplicación, interpretación o puesta en práctica del presente acuerdo, y sobre cualquier aumento de la cantidad total de importaciones de Panamá permitidas conforme al programa de restricciones, inclusive la adjudicación de cualquier déficit."

"8. En el caso de que sea necesario fijar cuotas para las importaciones de tales carnes, el período representativo que el Gobierno de los Estados Unidos de América empleará para calcular la cuota de Panamá no incluirá el período entre el 1° de octubre de 1968 y el 30 de junio de 1972, ni los años civiles de 1975, 1976 y 1977, excepto por acuerdo del Gobierno de Panamá."

"9. (a) Con el fin de que ambos gobiernos puedan mantenerse enterados del progreso logrado en el marco del presente acuerdo, el Gobierno de los Estados Unidos de América proporcionará al Gobierno de Panamá, lo antes posible después del fin de cada semana, información estadística aduanera relacionada con las importaciones de tales carnes provenientes de todos los países proveedores."

"(b) Lo antes posible después del fin de cada mes, el Gobierno de Panamá proporcionará al Gobierno de los Estados Unidos de América detalles sobre llegadas programadas hasta el 31 de diciembre de 1978, barco por barco y puerto por puerto, con base a los embarques reales en Panamá."

"Tengo el honor de proponer que si lo anterior es aceptable al Gobierno de Panamá, la presente nota, junto con la respuesta de Vuestra Excelencia confirmando lo antedicho constituye un acuerdo

entre nuestros dos gobiernos que entrará en vigor en la fecha de la respuesta de Vuestra Excelencia."

"Acepte Vuestra Excelencia las reiteradas seguridades de mi más alta consideración."

En contestación tengo el honor de expresar la aceptación del Gobierno de la República de Panamá del acuerdo esbozado en la nota de Vuestra Excelencia a que me he referido.

Acepte, Vuestra Excelencia, las reiteradas seguridades de mi más alta consideración.

MARINA MAYO

Marina Mayo
*Encargado de Negocios, a.i.*

A Su Excelencia
CYRUS VANCE
*Secretario de Estado*
*Washington, D.C.*

*Translation*

EMBASSY OF PANAMA
WASHINGTON, D.C. 20008

E. P. EUA-23 D

JANUARY 17, 1978

MR. SECRETARY:

I have the honor to acknowledge receipt of Your Excellency's note of December 21, 1977, which reads as follows:

[For the English language text, see pp. 33–35.]

In reply, I have the honor to inform you that the Government of Panama accepts the agreement outlined in Your Excellency's aforementioned note.

Accept, Excellency, the renewed assurances of my highest consideration.

MARINA MAYO

Marina Mayo
*Chargé d'Affaires ad interim*

His Excellency
CYRUS VANCE,
*Secretary of State,*
*Washington, D.C.*

*The Secretary of State to the New Zealand Ambassador*

DECEMBER 21, 1977

EXCELLENCY:

I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quanities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of New Zealand and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of New Zealand shall limit the quantity of such meats exported from New Zealand as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 272.6 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 272.6 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from New Zealand which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided

that (a) such regulations shall not be employed to govern spacing within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from New Zealand, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity to imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for New Zealand such increases or estimated shortfall as may be available shall be allocated to New Zealand in the proportion that 272.6 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of New Zealand and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from New Zealand permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for New Zealand shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of New Zealand.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of New Zealand as soon as possible after

the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of New Zealand shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in New Zealand.

I have the honor to propose that, if the foregoing is acceptable to the Government of New Zealand, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ

His Excellency
LLOYD WHITE,
*Ambassador of New Zealand.*

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*The New Zealand Chargé d'Affaires ad interim to the Secretary of State*

SIR:

I have the honour to refer to your note of 21 December 1977 which reads as follows:

"I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities

of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of New Zealand and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of New Zealand shall limit the quantity of such meats exported from New Zealand as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 272.6 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 272.6 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from New Zealand which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from New Zealand, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for New Zealand such increases or estimated shortfall as may be available shall be allocated to New Zealand in the proportion that 272.6 million pounds bears to the

total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of New Zealand and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from New Zealand permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for New Zealand shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of New Zealand.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of New Zealand as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of New Zealand shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in New Zealand.

I have the honor to propose that, if the foregoing is acceptable to the Government of New Zealand, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply."

I have the honour to confirm that the foregoing is acceptable to the Government of New Zealand which agrees that your note, together with this reply, constitutes an agreement between our two Governments on this matter.

Accept, Sir, the renewed assurances of my highest consideration.

BARBARA ANGUS
*Charge d'Affairs a.i.*

EMBASSY OF NEW ZEALAND
WASHINGTON D.C.
*18 January 1978*
*9/XII/78*

The Honorable,
CYRUS R. VANCE,
*Secretary of State*

*The Secretary of State to the Salvadoran Ambassador*

DECEMBER 21, 1977

EXCELLENCY:

I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of El Salvador and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of El Salvador shall limit the quantity of such meats exported from El Salvador as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 12.1 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 12.1 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from El Salvador which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within

calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from El Salvador, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for El Salvador, such increases or estimated shortfall as may be available shall be allocated to El Salvador in the proportion that 12.1 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of El Salvador and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from El Salvador permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for El Salvador shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of El Salvador.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of El Salvador as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of El Salvador shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in El Salvador.

I have the honor to propose that, if the foregoing is acceptable to the Government of El Salvador, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ

His Excellency
ROBERTO QUINONEZ MEZA,
*Ambassador of El Salvador.*

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*The Salvadoran Ambassador to the Secretary of State*

EMBAJADA DE EL SALVADOR
2308 CALIFORNIA STREET, N. W.
WASHINGTON

DE-4
A-861.5

EXCELENCIA:

Tengo el honor de referirme a Vuestra nota de fecha 21 de diciembre de 1977, relativa a las reuniones habidas entre representantes del Gobierno de los Estados Unidos de América y del que me honro en representar, sobre la importación hacia territorio de Vuestro país de carnes para consumo, descritas en el párrafo primero de dicha nota, para el año calendario de 1978 y en el cual propone un Acuerdo entre nuestros dos Gobierno dentro del Programa Voluntario y que se rige por los párrafos del uno al nueve de la mencionada nota.

Me es grato expresarle por mi intermedio, que el Gobierno de El Salvador acepta el acuerdo propuesto que incluye la cuota que a El Salvador le corresponde, de 12.1 millones de libras de carne para consumo que podrán ser exportadas de parte de nuestro país a los Estados Unidos, durante el año calendario de 1978.

De conformidad con el párrafo penúltimo de su mencionada nota, esta respuesta y la propuesta de Vuestra Excelencia, constituyen un acuerdo entres nuestros dos Gobierno que entrará en vigencia en esta fecha.

Aprovecho la oportunidad para reiterar a Vuestra Excelencia las muestras de mi mas alta consideración y estima,

R QUIÑONEZ MEZA
Roberto Quiñónez Meza
*Embajador.*

WASHINGTON, D.C.;
*Enero 19, 1978*

Excelentísimo señor
CYRUS R. VANCE,
*Secretario de Estado,*
*Departamento de Estado,*
*Washington, D.C.,*

*Translation*

EMBASSY OF EL SALVADOR
2308 CALIFORNIA STREET, N.W.
WASHINGTON

DE-4
A-861.5

EXCELLENCY:

I have the honor to refer to your note of December 21, 1977 concerning the meetings between representatives of the Government of the United States of America and my Government on the importation into United States territory for calendar year 1978 of meats for consumption described in the first paragraph of your note. You propose an agreement between our two Governments, within the Voluntary Program, in accordance with paragraphs one through nine of the aforementioned note.

I am pleased to inform you that the Government of El Salvador accepts the proposed agreement, including the quota for El Salvador of 12.1 million pounds of meat for consumption which may be exported by our country to the United States during calendar year 1978.

Pursuant to the next to the last paragraph of your note, this reply and Your Excellency's proposal constitute an agreement between our two Governments which will enter into force on this date.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration and esteem.

WASHINGTON, D.C., *January 19, 1978*

R QUIÑONEZ MEZA
Roberto Quiñonez Meza
*Ambassador*

His Excellency
CYRUS R. VANCE,
*Secretary of State,*
*Department of State,*
*Washington, D.C.*

*The Secretary of State to the Mexican Ambassador*

DECEMBER 21, 1977

EXCELLENCY:

I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of Mexico and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of Mexico shall limit the quantity of such meats exported from Mexico as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 63.1 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 63.1 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Mexico which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within

calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from Mexico, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for Mexico, such increases or estimated shortfall as may be available shall be allocated to Mexico in the proportion that 63.1 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of Mexico and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from Mexico permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Mexico shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of Mexico.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of Mexico as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of Mexico shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in Mexico.

I have the honor to propose that, if the foregoing is acceptable to the Government of Mexico, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ

His Excellency
HUGO B. MARGAIN.
*Ambassador of Mexico.*

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*The Mexican Ambassador to the Secretary of State*

EMBAJADA DE MEXICO

0106 WASHINGTON, D.C., *22 de febrero de 1978.*

SEÑOR SECRETARIO:

Tengo el honor de acusar recibo a Vuestra Excelencia de su atenta nota de fecha 21 de diciembre de 1977, cuya versión en español es la siguiente:

"Tengo el honor de referirme a las conversaciones sostenidas entre los representantes de nuestros dos Gobiernos y otros Gobiernos, relacionadsa con las importaciones a Estados Unidos para consumo de las carnes descritas abajo en el párrafo 1, durante el año calendario de 1978. Con el entendimiento de que también se celebrarán acuerdos similares por el año calendario de 1978 con los Gobiernos de otros países que exportan cantidades considerables de carne a los Estados Unidos, tengo el honor de proponer el siguiente acuerdo entre nuestros dos Gobiernos.

1. Para los propósitos de este acuerdo, el término "tales carnes" significa carne fresca, refrigerada o congelada de ganado vacuno (Item 106.10 de la Tarifa Aduanal de los Estados Unidos); carne fresca, refrigerada o congelada de ganado cabrío y ovejuno, salvo corderos (Item 106.20 de la Tarifa Aduanal de los Estados Unidos), y carne que —si no fuera por el proceso a que se sometiera en zonas aduanales libres, territorios o posesiones de los Estados Unidos antes

de su entrada, o que se retire de almacenes para consumo en territorio de los Estados Unidos— caería dentro de las descripciones anteriores (y de los Item de la Tarifa Aduanal de los Estados Unidos) a su entrada, o retiro de almacen para consumo.

2. Este acuerdo, junto con acuerdos similares con otros países que exportan a los Estados Unidos cantidades considerables de tales carnes, constituirá el programa de limitaciones de 1978. Con sujeción a lo dispuesto en el párrafo 6, la cantidad total permisible de importaciones de tales carnes a los Estados Unidos para consumo durante el año calendario de 1978, procedente de los países que forman parte del programa de limitaciones de 1978, será de 1,216.1 millones de libras y el Gobierno de México y el Gobierno de los Estados Unidos respectivamente asumirán las responsabilidades que abajo se detallan para regular sus exportaciones para los Estados Unidos y sus importaciones procedentes de México, de acuerdo con el programa de limitaciones de 1978.

3. El Gobierno de México deberá limitar la cantidad de tales carnes exportadas de México, como embarques directos, o amparadas por conocimientos directos de embarques a los Estados Unidos, de tal manera, que la cantidad de tales carnes que entre, o que se retire de almacenes, para consumo en Territorio Aduanal de los Estados Unidos, durante el año calendario de 1978, no exceda de 63.1 millones de libras, o alguna cantidad mayor que resulte de ajustes que se hagen según el párrafo 6.

4. El Gobierno de los Estados Unidos puede expedir reglamentos limitando a 63.1 millones de libras, o la cantidad mayor que pueda resultar de ajustes según el párrafo 6, la cantidad de tales carnes de México que, durante el año calendario de 1978, pueda entrar, o ser retirada de almacenes, para consumo, ya sea que tales carnes hayan sido embarcadas directa o indirectamente siempre que (a) tales reglamentos no se usen para espaciar, dentro del año calendario de 1978, las entradas o retiros de almacen, para consumo, de tales carnes de México, a menos que se hayan hecho otros arreglos; y (b) tales reglamentos se hayan expedido despues de consultas según el párrafo 7. Se entiende que las estadísticas del Servicio Aduanal de los Estados Unidos sobre las entradas, o retiros de almacén, para consumo, se usarán para los propósitos de este Acuerdo. Tales estadísticas no incluirán carnes a las que se haya negado la entrada por no llenar las normas apropiadas prescritas en la Ley Federal de Inspección de Carnes y sus enmiendas, y tales carnes no se considerarán como parte de la cantidad descrita en el párrafo 3, que puede ser aumentada según el párrafo 6.

5. El Gobierno de los Estados Unidos de América puede tomar las medidas apropiadas para asegurarse que las importaciones para consumo, a los Estados Unidos, procedentes de países que no forman parte del programa de limitaciones de 1978, no alteren el programa de limitaciones de 1978.

6. El Gobierno de los Estados Unidos de América puede aumentar

la cantidad total permisible de importaciones de tales carnes a los Estados Unidos durante el año calendario de 1978 procedentes de países que forman parte del programa de limitaciones de 1978, o puede distribuir cualquier déficit estimado de alguna de las partes que constituyen la cantidad total del programa de limitaciones, o en los cálculos iniciales de importaciones procedentes de países que no forman parte del programa de limitaciones de 1978. Si no se estima que vaya a registrarse algún déficit en las exportaciones de México, los aumentos o déficit estimados de que pueda disponerse, se asignarán a México en la proporción que 63.1 millones de libras tiene al total inicial de las partes de todos los países que constituyen el programa de limitaciones de 1978, que se estime que no tendrán déficit durante el año calendario de 1978. Al determinar la cantidad que puede ser distribuida según este párrafo, el Gobierno de los Estados Unidos puede tomar en cuenta cualquier aumento que se registre en sus cálculos iniciales de importaciones procedentes de países que no forman parte del programa de limitaciones.

7. El Gobierno de México y el Gobierno de los Estados Unidos se consultarán prontamente a solicitud de cualquier de los dos Gobiernos, respecto a cualquier asunto relacionado con la aplicación, interpretación u operación de este acuerdo y con respecto a cualquier aumento en la cantidad total de importaciones procedentes de México permisible bajo el programa de limitaciones incluyendo la distribución de cualquier déficit.

8. En caso de que sea necesario imponer cuotas para la importación de tales carnes, el período representativo usado por el Gobierno de los Estados Unidos de América para calcular la cuota para México, no incluirá el período comprendido entre el primero de octubre de 1968, y el 30 de junio de 1972, o los años calendarios 1975, 1976, 1977 y 1978, excepto mediante arreglo con el Gobierno de México.

9. (a) Para capacitar a ambos Gobiernos a seguir el progreso de este acuerdo, el Gobierno de los Estados Unidos de América, proveerá al Gobierno de México, tan pronto como sea posible después del fin de cada semana, la información estadística aduanal sobre las importaciones de tales carnes procedentes de todos los países abastecedores.

(b) Tan pronto como sea posible después del fin de cada mes, el Gobierno de México proveerá al Gobierno de los Estados Unidos de América, detalles de los arribos programados hasta el 31 de diciembre de 1978, barco por barco y puerto por puerto, basados en los embarques ya hechos en México.

Tengo el honor de proponer que si lo anterior es aceptable al Gobierno de México, esta nota y la respuesta confirmatoria de su Excelencia, constituyan un acuerdo entre nuestros dos Gobiernos que entrará en vigor en la fecha de su respuesta.

Acepte, Excelencia, las seguridades renovadas de mi más alta consideración."

En respuesta, me complazco en informar a Vuestra Excelencia, que mi Gobierno encuentra aceptable la precedente propuesta y, en consecuencia, conviene en que la nota de Vuestra Excelencia arriba transcrita y la presente, constituyen un acuerdo entre los Estados Unidos Mexicanos y los Estados Unidos de América.

Aprovecho esta oportunidad para renovar a Vuestra Excelencia el testimonio de mi más alta consideración.

HUGO B MARGAIN

Hugo B. Margain
*Embajador*

Excelentísimo señor CYRUS R. VANCE,
*Secretario de Estado,*
*Washington, D.C.*

*Translation*

EMBASSY OF MEXICO

No. 0106

WASHINGTON, *February 22, 1978*

MR. SECRETARY:

I have the honor to acknowledge receipt of Your Excellency's note of December 21, 1977, which, translated into Spanish, reads as follows:

[For the English language text, see pp. 48–50.]

In reply, I take pleasure in informing Your Excellency that the foregoing proposal is acceptable to my Government and that it agrees, therefore, that Your Excellency's note transcribed above and this note should constitute an agreement between the United Mexican States and the United States of America.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

HUGO B MARGAIN

Hugo B. Margain
*Ambassador*

His Excellency
CYRUS R. VANCE,
*Secretary of State,*
*Washington, D.C.*

*The Secretary of State to the Australian Ambassador*

DECEMBER 21, 1977

EXCELLENCY:

I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of Australia and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of Australia shall limit the quantity of such meats exported from Australia as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 663.5 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 663.5 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Australia which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within

calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from Australia, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for Australia, such increases or estimated shortfall as may be available shall be allocated to Australia in the proportion that 663.5 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of Australia and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from Australia permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Australia shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of Australia.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of Australia as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of Australia shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978, ship by ship and port by port, based on actual loadings in Australia.

I have the honor to propose that, if the foregoing is acceptable to the Government of Australia, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply.

Accept, Excellency, the renewed assurance of my highest consideration.

For the Secretary of State:

JULIUS L. KATZ

His Excellency
ALAN PHILIP RENOUF,
*Ambassador of Australia.*

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*The Australian Ambassador to the Secretary of State*

SIR,

I have the honour to refer to your note of 21 December, 1977 which reads as follows:

"I have the honor to refer to discussions among representatives of our two governments and other governments relating to the importation into the United States for consumption of meats described below in paragraph 1 during the calendar year 1978. With the understanding that similar agreements also will be concluded for calendar year 1978 with governments of other countries which export substantial quantities of meat to the United States, I have the honor to propose the following agreement between our two governments:

1. For purposes of this agreement, the term "such meats" shall mean fresh, chilled or frozen cattle meat (Item 106.10 of the Tariff Schedules of the United States), fresh, chilled or frozen meat of goats and sheep, except lambs (Item 106.20 of the Tariff Schedules of the United States), and meats which, but for processing in foreign-trade zones, territories or possessions of the United States prior to entry, or withdrawal from warehouse, for consumption in United States Customs Territory, would fall within the above descriptions (and Items of the Tariff Schedules of the United States) upon such entry, or withdrawal from warehouse, for consumption.

2. This agreement, together with similar agreements with other countries which export to the United States substantial quantities of such meats, shall constitute the 1978 restraint program. Subject

to paragraph 6, the permissible total quantity of imports of such meats into the United States for consumption during the calendar year 1978 from countries party to the 1978 restraint program shall be 1216.1 million pounds, and the Government of Australia and the Government of the United States of America shall respectively undertake responsibilities as set forth below for regulating exports to, and imports into, the United States pursuant to the 1978 restraint program.

3. The Government of Australia shall limit the quantity of such meats exported from Australia as direct shipments or on a through bill of lading to the United States in such a manner that the quantity of such meats entered, or withdrawn from warehouse, for consumption in United States Customs Territory during the calendar year 1978 does not exceed 663.5 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6.

4. The Government of the United States of America may issue regulations limiting to 663.5 million pounds, or such greater quantity as may result from adjustments pursuant to paragraph 6, the quantity of such meats from Australia which, during calendar year 1978, may be entered, or withdrawn from warehouse, for consumption, whether such meats were shipped directly or indirectly, provided that (a) such regulations shall not be employed to govern spacing within calendar year 1978 of entry, or withdrawal from warehouse, for consumption of such meats from Australia, unless otherwise agreed; and (b) such regulations shall be issued after consultation pursuant to paragraph 7. It is understood that United States Customs statistics of entries, or withdrawals from warehouse, for consumption, will be used for purposes of this agreement. Such statistics shall not include meats which have been refused entry because of failure to meet appropriate standards prescribed pursuant to the Federal Meat Inspection Act, as amended, and such meats will not be regarded as part of the quantity described in paragraph 3, as it may be increased pursuant to paragraph 6.

5. The Government of the United States of America may take appropriate steps to ensure that imports into the United States for consumption from countries not party to the 1978 restraint program do not disrupt the 1978 restraint program.

6. The Government of the United States of America may increase the permissible total quantity of imports of such meats into the United States during the calendar year 1978 from countries party to the 1978 restraint program or may re-allocate any estimated shortfall in a share of the restraint program quantity or in the initial estimates of imports from countries not party to the 1978 restraint program. If no shortfall is estimated for Australia, such increases or estimated shortfall as may be available shall be allocated to Australia in the proportion that 663.5 million pounds bears to the total initial shares from all countries party to the 1978 restraint program which are estimated to have no shortfall for the calendar

year 1978. In determining the amount available for re-allocation pursuant to this paragraph, the Government of the United States of America may take into account any increase in its initial estimates of imports from countries not party to the restraint program.

7. The Government of Australia and the Government of the United States of America shall consult promptly upon the request of either government regarding any matter involving the application, interpretation or implementation of this agreement, and regarding any increase in the total quantity of imports from Australia permissible under the restraint program including allocation of any shortfall.

8. In the event that quotas on imports of such meats should become necessary, the representative period used by the Government of the United States of America for calculation of the quota for Australia shall not include the period between October 1, 1968 and June 30, 1972 or the calendar years 1975, 1976, 1977 and 1978 except by the agreement of the Government of Australia.

9. (a) To enable both Governments to follow progress under this agreement, the Government of the United States of America shall provide to the Government of Australia as soon as possible after the end of each week Customs statistical information concerning imports of such meats from all supplying countries.

(b) As soon as possible after the end of each month, the Government of Australia shall provide to the Government of the United States of America details of scheduled arrivals to December 31, 1978 ship by ship and port by port, based on actual loadings in Australia.

I have the honor to propose that, if the foregoing is acceptable to the Government of Australia, this note and Your Excellency's confirmatory reply constitute an agreement between our two Governments which shall enter into force on the date of your reply."

I have the honour to confirm that the foregoing is acceptable to the Government of Australia which agrees that your note together with this reply shall constitute an agreement between our two Governments on this matter.

Accept, Sir, the renewed assurances of my highest consideration.

ALAN RENOUF

(A. P. Renouf)
*Ambassador*

EMBASSY OF AUSTRALIA
WASHINGTON, D.C.
*March 1, 1978*

The Hon. CYRUS R. VANCE
*Secretary of State*
*Washington, D.C. 20520*

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